

JASPER COUNTY COUNCIL COUNCIL CHAMBERS 358 THIRD AVE., RIDGELAND, SC 29936 SEPTEMBER 20, 2010 MINUTES 7:00 P.M.

OFFICIALS PRESENT - GEORGE HOOD-CHAIRMAN, LEROY BLACKSHEAR-VICE CHAIRMAN, HENRY ETHERIDGE-COUNCILMAN, REV. SAMUEL GREGORY-COUNCILMAN

OFFICIALS ABSENT:

HUBERT TYLER-COUNCILMAN

STAFF PRESENT - ANDREW FULGHUM-ADMINISTRATOR, RONNIE MALPHRUS - DIRECTOR OF ADMINISTRATIVE SERVICES, JUDITH FRANK - CLERK TO COUNCIL, MARVIN JONES - ATTORNEY, DAVID JIROUSEK - PLANNING AND BUILDING DIRECTOR, WIILBUR DALEY- DIRECTOR OF EMERGENCY SERVICES, DALE TERRY - DIRECTOR OF ENGINEERING SERVICES, OFFICER BAILEY, SHERIFF JENKINS, MARGARET BOSTICK - CLERK OF COURT, YASMINE ATAR- IT MANAGER, STEVEN MALPHRUS- ASST. DIR. EMS.

IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT THE ELECTRONIC AND PRINT MEDIA WERE NOTIFIED.

DURING PERIODS OF DISCUSSION AND/OR PRESENTATIONS MINUTES ARE TYPICALLY CONDENSED AND PARAPHRASED.

CALL TO ORDER - CHAIRMAN HOOD CALLED THE MEETING TO ORDER AT 4:00 P.M.

PLEDGE OF ALLEGIANCE - CHAIRMAN HOOD LED THE PLEDGE OF ALLEGIANCE.

INVOCATION - VICE CHAIRMAN BLACKSHEAR GAVE THE INVOCATION.

APPROVAL OF THE MINUTES – <u>VICE CHAIRMAN BLACKSHEAR MOTIONED</u> AND COUNCILMAN GREGORY SECONDED THE MOTION TO APPROVE THE MINUTES FROM THE 9/7/2010 COUNCIL MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PROCLAMATIONS AND PRESENTATION - MR. FELDER, HARDEEVILLE ADMINISTRATOR, SAID THAT HARDEEVILLE WAS APPLYING OF A CDBG GRANT TO BUILD A NEW LIBRARY IN HARDEEVILLE AND HE WAS

REQUESTING THAT THE COUNTY COUNCIL WRITE A COMMITMENT LETTER AS THEY DID LAST YEAR. MR. FELDER SAID THE NEW LIBRARY WILL BE BUILT AS AN ADDITION TO THE HEYWARD HOUSE. MR, FELDER SAID THE CITY WILL PROVIDE THE FUNDING TO RENOVATE THE HEYWARD HOUSE. MR. FELDER SAID HE WAS ASKING THE COUNCIL TO PROVIDE A COMMITMENT LETTER, TO GIVE THE CITY THE PROCEEDS FROM THE SALE OF THE OLD LIBRARY TO USE FOR THE NEW LIBRARY AND AGREE TO CONTINUE TO APPROPRIATE FUNDS FOR THE OPERATION OF THE HARDEEVILLE LIBRARY AS THEY DO NOW. MR. AVERKIN, THE HARDEEVILLE FINANCE DIRECTOR PRESENTED THE PLANS FOR THE LIBRARY ADDITION FOR THE HEYWARD HOUSE. MR. AVERKIN SAID THE NEW LIBRARY WOULD BE ADA COMPLIANT AND OFFER MORE SPACE WHICH IS GREATLY NEEDED. COUNCILMAN ETHERIDGE ASKED IF IT WOULD ALSO BE IN THE HEYWARD HOUSE. MR. FELDER SAID THAT THE LIBRARY WOULD BE CONNECTED TO THE HEYWARD HOUSE WITH A BREEZEWAY. COUNCILMAN GREGORY ASKED ABOUT THE COST. MR. FELDER SAID THAT THEY APPLIED FOR A \$500,000.00 GRANT AND THE LIBRARY WOULD COST \$750,000.00. MR. FELDER SAID THE CITY PLEDGED THE 10% MATCHING FUNDS AND IF THEY COUNTY PLEDGES THE PROCEEDS FROM THE SALE OF THE OLD LIBRARY BUILDING, THEY WOULD BE VERY CLOSE TO THE \$750,000.00. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE MOTION TO APPROVE A COMMITMENT LETTER FOR THE HARDEEVILLE LIBRARY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

PUBLIC HEARINGS AND ORDINANCES

WILBUR DALEY - 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM- MR. DALEY TOLD THE COUNCIL THAT THE ORDINANCE WAS AMENDED SINCE THE LAST MEETING AND ASKED ATTORNEY JONES TO REVIEW THE CHANGES. MR. JONES SAID THAT IT WILL BE RECOMMENDED FOR EXISTING GATES TO INSTALL THE CLICK TO ENTER HARDWARE, BUT NOT MANDATORY. MR. JONES SAID THAT NEW CONTRUCTION WITH ELELCTRIC GATES OR GATES THAT ARE BEING REFURBISHED WILL BE REQUIRED TO THAT THE CLICK TO ENTER HARDWARE. MR. JONES SAID A SECTION WAS ADDED MAKING VIOLATION OF THIS ORDINANCE A MISDEMEANOR AND PUNISHABLE UNDER THE JASPER COUNTY CODE OF ORDINANCES. MR. JONES SAID THE FINE COULD BE UP TO \$500.00. MR. JONES SAID THAT A MOTION TO RECONSIDER THIS ORDINANCE WAS NECESSARY. VICE CHAIRMAN BLACKSHEAR SAID THAT THERE WAS NO SECOND TO THE MOTION FOR THIS ORDINANCE AND IT DIED AT THE LAST MEETING. MR. JONES SAID THEN THERE WAS NO NEED FOR A MOTION TO RECONSIDER, BUT A MOTION TO APPROVE THE AMENDMENTS WAS COUNCILMAN ETHERIDGE SAID HE FELT THE INSURANCE COMPANIES MAY REQUIRE IT. COUNCILMAN GREGORY DISCUSSED THE COST AND THE FACT THAT INSURANCE COMPANIES MAY FIND A WAY TO REQUIRE THIS IF THE ORDINANCE IS PASSED. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE

MOTION THAT THIS BE THE 3RD READING OF THE ORDINANCE TO AMEND THE JASPER COUNTY CODE OF ORDINANCES TO ADD TO ARTICLE II OF CHAPTER 6, DIVISION 3 THEREOF TO CREATE A GATE ACCESS PROGRAM. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN ETHERIDGE VOTING FOR; COUNCILMAN GREGORY VOTED AGAINST.

RONNIE MALPHRUS - 2nd READING OF THE ORDINANCE TO AMEND THE PROCUREMENT POLICY - MR. MALPHRUS SAID THAT THE PROCUREMENT POLICY NEEDED TO BE CHANGED TO BE MORE INLINE WITH FEDERAL GRANT REGULATIONS. MR. MALPHRUS SAID THE PROTEST PROCEDURES WERE CLARIFIED; A SECTION WAS ADDED REGARDING MINIORITY AND SMALL BUSINESSES, AND A SECTION WAS ADDED REGARDING PROFESSIONAL SERVICES. MR. MALPHRUS EXPLAINED THAT CURRENTLY ALL PROFESSIONAL SERVICE CONTRACTS MUST COME BACK FOR COUNCIL APPROVAL AND THE CHANGE ALLOWS THE ADMINISTRATOR TO APPROVE PROFESSIONAL SERVICE CONTRACTS UP TO \$5,000.00 IF THE MONEY FOR PROFESSIONAL SERVICES HAS BEEN BUDGETED AND IF THE PROVIDER IS ALREADY UNDER CONTRACT WITH THE COUNCILMAN ETHERIDGE SAID HE WANTED TO BE SURE THAT IT STATED, FROM FUNDS THAT THE COUNCIL HAS ALREADY APPROVED OR FROM OTHER FUNDS THAT ARE FROM SOURCES LIKE THE ESCROW FUNDS TO REVIEW DEVELOPMENT PROJECTS. COUNCILMAN GREGORY ASKED WHY THE ADMINISTRATOR NEEDED THIS. MR. MALPHRUS SAID THE CURRENT PROCUREMENT POLICY EXCLUDED PROFESSIONAL SERVICE CONTRACTS AND THEY COULD NOT BE APPROVED UNTIL THEY ARE APPROVED BY COUNCIL. MR. FULGHUM SAID THE FUNDING WOULD COME FROM THE GENERAL FUND OR ESCROW FUNDS FROM THE DEVELOPER. CHAIRMAN HOOD SAID HE WAS CONCERNED ABOUT THE SOURCES OTHER THAN COUNTY REVENUE. MR. FULGHUM SAID THAT IS REFENCING THE FUNDS FROM THE DEVELOPER, NOT THE TAXPAYER. CHAIRMAN HOOD ASKED WHAT OTHER FUNDS COULD BE USED. MR. FULGHUM SAID ONLY THE FUNDS HE MENTIONED. COUNCILMAN GREGORY SAID HE WAS CONCERNED ABOUT KEEPING UP WITH THIS SPENDING WHEN THE COUNCIL WOULD ONLY FIND OUT AFTER THE FACT. MR. MALPHRUS SAID REPORTS CAN BE PROVIDED. MR. MALPHRUS SAID THE FUNDS COULD BE TRACKED AND REPORTED TO COUNCIL. COUNCILMAN GREGORY SAID THE WAY IT IS NOW, THE COUNCIL AUTOMATICALLY KNOWS BECAUSE THEY HAVE TO APPROVE IT AND BY THE TIME THEY GET A REPORT, THE MONEY WILL HAVE ALREADY BEEN SPENT. MR. MALPHRUS SAID THAT FUNDS ARE INCLUDED IN THE BUDGET FOR THESE EXPENSES. COUNCILMAN GREGORY SAID HE WAS CONCERNED ABOUT AFTER THEY SPEND EVERYTHING THAT HAS BEEN BUDGETED. COUNCILMAN GREGORY SAID HE FELT IT SHOULD BE LEFT THE WAY IT IS NOW. MR. MALPHRUS EXPLAINED THAT THEY DID NOT UPDATE THE COUNCIL OF OFFICE SUPPLY EXPENDITURES AND THIS WOULD BE THE SAME THING ONLY THE ADMINISTRATOR WOULD HAVE TO APPROVE IT AND COULD NOT APPROVE MORE THAN WAS BUDGETED. COUNCILMAN GREGORY SAID THEY ONLY FIND THINGS OUT AT THE END OF THE YEAR

AND HE DID NOT THINK THIS WAS THE RIGHT THING TO DO. COUNCILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO AMEND THE ORDINANCE TO INCLUDE BUDGETED AMOUNTS IN THE PLANNING AND DEVELOPMENT SERVICES AND DEVELOPERS ESCROW ACCOUNTS. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN ETHERIDGE VOTING FOR; COUNCILMAN GREGORY DID NOT VOTE. COUNICILMAN ETHERIDGE MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION THAT THIS BE THE 2nd READING OF THE ORDINANCE TO AMEND THE PROCUREMENT POLICY. THE MOTION CARRIED WITH CHAIRMAN HOOD, VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN ETHERIDGE VOTING FOR; COUNCILMAN GREGORY DID NOT VOTE.

DAVID JIROUSEK - 2nd READING OF THE ORDINANCE FOR THE REZONING OF THE N. SAVANNAH PROPERTIES LOCATED AT HWY. 17 AND HWY. 170 - MR. JIROUSEK SAID THERE WERE NO CHANGES TO THE ORDINANCE SINCE THE 1ST READING. MR. JIROUSEK SAID THAT THE SUBJECT PROPERTIES TOTAL 30.33 ACRES (27.46 UPLAND) AND ARE LOCATED AT THE INTERSECTION OF SC 17 AND SC 315 (PREVIOUSLY SC 170A). THE APPLICANT HAS REQUESTED A ZONING MAP AMENDMENT TO CHANGE THE DESIGNATION OF THREE PROPERTIES FROM COMMUNITY COMMERCIAL (CC) AND RESIDENTIAL (R) TO GENERAL COMMERCIAL (GC). THE PROPERTIES ARE CURRENTLY UNDEVELOPED; HOWEVER, APPLICANT HAS IDENTIFIED END USERS INTERESTED IN DEVELOPMENT BASED ON LOCATION AND THE HIGHLY VISIBLE ROADWAY FRONTAGE. MR. JIROUSEK EXPLAINED THAT AN APPLICATION WAS CONSIDERED BY THE PLANNING COMMISSION IN JULY FOR THE SAME THREE PARCELS WAS WITHDRAWN ON JULY 16TH AND A NEW APPLICATION FOR GC ZONING WAS SUBMITTED ON JULY 19TH FOR AUGUST REVIEW BY THE PLANNING COMMISSION AND SEPTEMBER CONSIDERATION BY COUNTY COUNCIL. MR. JIROUSEK SAID THAT ACCORDING TO THE 2007 JASPER COUNTY COMPREHENSIVE PLAN, THE RECOMMENDED DEVELOPMENT FRAMEWORK OF THE COUNTY "USES A DEVELOPMENT AREA CONCEPT TO MANAGE FUTURE GROWTH BY ENCOURAGING AND ENHANCING GROWTH PATTERNS THAT HAVE NATURALLY OCCURRED WITHIN THE COUNTY." THE SUBJECT PROPERTIES ARE NOT LOCATED WITHIN A DEVELOPMENT AREA ON THE JASPER COUNTY COMPREHENSIVE PLAN PROJECTED GENERAL LAND USE MAP. HOWEVER, THE FUTURE LAND USE OF SOUTHERN JASPER COUNTY WAS NOT FULLY CONSIDERED AS SAVANNAH AND JASPER PORT-RELATED DEVELOPMENT WAS NOT ANTICIPATED IN THE PLAN. MR. JIROUSEK CONTINUED THAT SINCE THERE WAS AN ABSENCE OF INFORMATION IN THE COMPREHENSIVE PLAN TO HELP GUIDE THE STAFF RECOMMENDATION, SECTION 3:2.5 OF THE ZONING ORDINANCE REGARDING ACTION BY COUNTY COUNCIL SHOULD BE CONSIDERED. MR. JIROUSEK EXPLAINED THAT ACCORDING TO THIS SECTION, A ZONING MAP AMENDMENT COULD BE CONSIDERED IF "THERE HAVE BEEN MAJOR CHANGES OF AN ECONOMIC, PHYSICAL, OR SOCIAL NATURE WITHIN THE AREA INVOLVED WHICH WERE NOT ANTICIPATED IN THE COUNTY'S COMPREHENSIVE PLAN AND WHICH

HAVE SUBSTANTIALLY ALTERED THE BASIC CHARACTER OF SUCH AREA." MR. JIROUSEK POINTED OUT THAT THIS STATEMENT APPLIES TO THE SUBJECT PROPERTIES AS THEY ARE ADJACENT TO THE DELTA BLUFFS PDD AND IN CLOSE PROXIMITY TO THE RIVERPORT TRACT WITH THE DEVELOPMENT POTENTIAL OF SEVERAL MILLION SQUARE FEET OF COMMERCIAL AND INDUSTRIAL USES. MR. JIROUSEK SAID THAT THE COMPREHENSIVE PLAN DOES NOT ANTICIPATE THIS PORT-RELATED DEVELOPMENT POTENTIAL IN ADDITION TO THE NEED FOR SUPPORT OF THE INDUSTRIAL ACTIVITIES AND EMPLOYEES (GOODS AND SERVICES) AND THE FACT THAT A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT IS INAPPROPRIATE FOR THIS AREA. MR. JIROUSEK ADDED THAT THE TRAFFIC ACCESS WAS AN ISSUE WHEN THE APPLICANT SOUGHT REZONING OF THE CORNER PARCEL, GIVEN THE PROXIMITY TO A MAJOR INTERSECTION AND SC DOT ENCROACHMENT PERMITS COULD NOT BE ISSUED FOR THE CORNER PARCEL BASED ON ITS SIZE AND PROXIMITY TO INTERSECTION. MR. JIROUSEK STATED THAT AS A RESULT, ALL THREE PARCELS MUST INTERCONNECT WITH AN INTERNAL ROAD SYSTEM AND COORDINATED ACCESS PLAN AND FUTURE INTERCONNECTIVITY WITH THE DELTA BLUFFS PDD COULD POTENTIALLY BE INCORPORATED TO BENEFIT BOTH DEVELOPERS. MR. JIROUSEK SAID THAT THE APPLICANT PLANS TO PROPOSE A COST-SHARING PLAN FOR SHARED ACCESS AND/OR PROVIDE FOR AN "ACCESS PARCEL" THAT MAY BE PURCHASED BY THE DEVELOPERS OF THE ADJACENT PDD. THIS ISSUE WILL BE SETTLED BETWEEN THE TWO PARTIES WITH COUNTY FACILITATION IF NEEDED. MR. JIROUSEK SAID THE PROPERTY TO THE WEST IS ZONED GENERAL COMMERCIAL, TO THE EAST IS THE DELTA BLUFFS PDD AND TO THE NORTH AND SOUTH IS RURAL PRESERVATION. MR. JIROUSEK TOLD THE COUNCIL THAT THE PROPOSED ZONING IS COMPATIBLE WITH THE EXISTING DESIGNATIONS. JIROUSEK DISCUSSED THE ADJACENT LAND USE AND THAT THE ADJACENT LAND IS UNDEVELOPED EXCEPT FOR THE EXISTING SCAD EQUESTRIAN FACILITY AND RECREATIONAL FIELDS TO THE SOUTH. THE PROPOSED LAND USES ARE CONSISTENT WITH FUTURE LAND USES PLANNED FOR THE VICINITY. MR. JIROUSEK SAID THAT BASED ON THE CURRENT COUNTY ORDINANCE, "INTEGRATED DEVELOPMENT" AND ANY PROJECT EXCEEDING 25 ACRES TRIGGER A MANDATORY PDD APPROVAL PROCESS. HOWEVER, BASED ON TWO RECENT SC SUPREME COURT CASES, PDD ZONING CAN ONLY BE USED FOR MIXED USE DEVELOPMENT AND TO ALLOW FOR A MORE INNOVATIVE DESIGN APPROACH. AS THE APPLICANT IS NOT SEEKING THE FLEXIBILITY OF ZONING STANDARDS AND A TRUE MIXED DEVELOPMENT AT THIS TIME, CASE LAW SUPERSEDES OUR COUNTY ORDINANCE AND IT IS THEREFORE ACCEPTABLE FOR THE APPLICANT TO SEEK A REZONING TO THE GC DISTRICT. HOWEVER, THE APPLICANT MAY SEEK PDD ZONING IN THE MONTHS AHEAD. MR. JIROUSEK SAID THAT A HIGH-LEVEL TRAFFIC STUDY WAS PROVIDED FOR REVIEW AND CONCERNS WITH IMPACT HE SUMMARIZED THAT THE TRAFFIC COUNTS SHOW 14,700 VEHICLES PER DAY SOUTH OF THE SC 315 (FORMERLY SC 170A) AND SC 17 INTERSECTION. THIS SUGGESTS THAT THE ROAD SEGMENT IS EXTREMELY CLOSE TO CAPACITY OF 16,790 FOR A TWO-LANE UNDIVIDED PRINCIPAL

ARTERIAL (THE POINT IN WHICH LEVEL OF SERVICE REACHES "E") AND PLANS FOR SC 17 WIDENING: THIS ROUTE IS CURRENTLY LISTED AS A REGIONAL PRIORITY TO BE FUNDED THROUGH THE LOWCOUNTRY COUNCIL OF GOVERNMENTS. CURRENTLY, \$2.5 MILLION HAS BEEN ALLOCATED FOR DESIGN, ENVIRONMENTAL STUDIES AND RIGHT OF WAY ACQUISITION. HOWEVER, THE PROJECT IS PROJECTED TO COST \$40-50 MILLION TO CONSTRUCT. MR. JIROUSEK TOLD THE COUNCIL THAT ACCORDING TO THE SC DOT CHIEF OF STATEWIDE PLANNING, MARK PLEASANT, LOWCOUNTRY COG IS THE ONLY ORGANIZATION RESPONSIBLE FOR PROJECTS WHICH ADD CAPACITY (WIDENING) BY ALLOCATING STATE FUNDS TO PROJECTS. HOWEVER, IT IS UNLIKELY THAT A PROJECT OF THIS MAGNITUDE COULD EVER BE FUNDED THROUGH THE COG BASED ON THE SIGNIFICANT COST. A PROJECT OF STATE SIGNIFICANCE, SUCH AS THE JASPER OCEAN TERMINAL, WOULD BE THE LIKELY JUSTIFICATION FOR A COMBINATION OF COUNTY, STATE AND FEDERAL FUNDING OF THIS IMPROVEMENT. HOWEVER, THERE ARE NO PLANS OR FUNDING PROPOSALS AT THIS TIME. MR. JIROUSEK ADDED THAT SCDOT NOTES THAT THE 2030 DAILY TRAFFIC COUNT IS PROJECTED TO EXCEED 25,000 TRIPS AND THE ROADWAY WILL HAVE AN EXTREMELY LOW LEVEL OF SERVICE "F" WITHOUT ROAD WIDENING. MR. JIROUSEK SAID THAT IT IS IMPORTANT TO NOTE THAT DELTA BLUFFS, RIVERPORT, OTHER PDDS AND HIGHER DENSITY ZONING DISTRICTS ALONG SC 17 AND SC 315 WILL CONTINUE TO ADD TO THE CAPACITY ISSUES ALONG THIS ROADWAY. MR JIROUSEK ADDED THAT AS LONG AS SC DOT ENCROACHMENT PERMITS ARE ABLE TO BE ISSUED FOR DEVELOPMENT, THE PROJECTED VOLUMES WILL CONTINUE TO CONGEST THE SUBJECT ROAD SEGMENTS. WITH BUILDOUT OF SOUTHERN JASPER COUNTY, THE OVERALL ROAD NETWORK WILL CONTINUE TO BE STRESSED UNTIL NEW FUNDING (IMPACT FEES, ETC) IS FOUND TO INCREASE ROAD CAPACITY, AN ISSUE DISREGARDED DURING OTHER LARGE SCALE DEVELOPMENT APPROVALS. MR. JIROUSEK INFORMED THE COUNCIL THAT THE PLANNING COMMISSION (4-2 VOTE) AND THE STAFF RECOMMEND APPROVAL; HOWEVER, TRAFFIC IMPACT WAS THOROUGHLY DISCUSSED PRIOR TO THIS DECISION AND THE KEY FACTORS IN THIS RECOMMENDATION WERE THE THAT THIS WAS PRIMARILY A LAND USE COMPATIBILITY DECISION AND THE CURRENT RESIDENTIAL ZONING IS INAPPROPRIATE ADJACENT TO DELTA BLUFFS, WHICH HAS 1.2 MILLION SF OF COMMERCIAL AND LIGHT INDUSTRIAL CURRENTLY APPROVED. JIROUSEK SAID THAT THESE PARCELS WERE SPECIFICALLY CALLED OUT AND KEPT RESIDENTIAL DURING THE 2007 COUNTYWIDE ZONING PROJECT TO ENSURE A BETTER UNDERSTANDING OF ACCESS AND COMPATIBILITY OF LAND USE. MR. JIROUSEK SAID SHARED ACCESS HAS BEEN PROPOSED WITH DELTA BLUFFS AND GENERAL COMMERCIAL ZONING IS CONSISTENT WITH THE NON-RESIDENTIAL ZONING OF THE PDD, BOTH OF THESE ISSUES HAVE BEEN ADDRESSED AND THE REZONING IS APPROPRIATE. MR. JIROUSEK SAID THE MAJORITY OF PROPERTIES FRONTING SC 17 ARE CLASSIFIED AS NON-RESIDENTIAL AND THE TRAFFIC STUDIES AND THE PRELIMINARY JASPER COUNTY TRAFFIC MODEL SHOW THAT SC 17 IS VERY CLOSE TO CAPACITY CONSIDERING THE TYPE OF ROAD AND THE CURRENT

AVERAGE ANNUAL DAILY TRAFFIC COUNTS; THE CAPACITY OF SC 17 WILL BE EXCEEDED WHETHER THIS PROPERTY IS REZONED OR NOT. JIROUSEK EXPLAINED THAT THIS IS ONLY A ZONING MAP AMENDMENT REOUEST, ALL FUTURE DEVELOPMENT PROPOSALS (MAJOR SITE PLAN OR SUBDIVISION) WILL REQUIRE FURTHER TRAFFIC STUDY, SC DOT ENCROACHMENT PERMITTING, AND COUNTY DEVELOPMENT PERMITTING. ANY FUTURE DEVELOPMENT PROPOSAL WHICH SHOWS UNACCEPTABLE TRAFFIC CONDITIONS WILL NOT BE PERMITTED BY DOT AND/OR THE MR. JIROUSEK TOLD THE COUNCIL THAT ENSURING COUNTY-WIDE ROAD CAPACITY ISSUES ARE SATISFIED PRIOR TO ANY FURTHER UPZONING WILL SET PRECEDENCE HOW THE COUNTY REVIEWS ZONING MAP AMENDMENT REQUESTS. TRAFFIC STUDIES AND MITIGATION ARE TYPICALLY ADDRESSED DURING MASTER PLAN REVIEWS, SUBDIVISION OR MAJOR SITE PLAN REVIEWS. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN GREGORY SECONDED THE MOTON THAT THIS BE THE 2nd READING OF THE ORDINANCE FOR THE REZONING OF THE N. SAVANNAH PROPERTIES LOCATED AT HWY. 17 AND HWY. 170. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RESOLUTIONS

THERE WERE NO RESOLUTIONS.

OLD BUSINESS

ANDREW FULGHUM - APPOINTMENT OF MEMBER TO THE WORK FORCE INVESTMENT BOARD - MR. FULGHUM SAID THE COUNCIL NEEDED TO APPOINT ON PERSON TO THE WFIB. COUNCILMAN ETHERIDGE NOMINATED TRIPP DALEY TO THE WFIB. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPOINT TRIPP DALEY TO THE WFIB. THE MOTION WAS CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM - APPOINTMENT OF A COUNCIL MEMBER TO THE YEMASSEE REGIONAL PLANNING STEERING COMMITTEE - MR. FULGHUM EXPLAINED THE MR. THORN REQUESTED THAT A MEMBER WAS NEEDED TO SERVE ON THE YEMASSEE REGIONAL PLANNING STEERING COMMITTEE. MR. FULGHUM SAID THAT EVEN THOUGH MR. THORN SAID IT DID NOT HAVE TO BE A COUNCIL MEMBER, MR. FULGHUM RECOMMENDED THAT IT BE A COUNCIL MEMBER. CHAIRMAN HOOD ASKED FOR A VOLUNTEER TO SERVE. VICE CHAIRMAN BLACKSHEAR VOLUNTEERED TO SERVE ON THE YEMASSEE REGIONAL PLANNING STEERING COMMITTEE.

RONNIE MALPHRUS - PRESENTATION AND REQUEST FOR APPROVAL FOR USE OF G.E.A.R. PROGRAM BY THE DELINQUENT TAX OFFICE - MR. MALPHRUS EXPLAINED THAT HE RESEARCHED THEIR REQUEST AND THAT THE 28% FEE COULD NOT BE CHARGED BACK TO THE PROPERTY OWNERS. MR. MALPHRUS SAID THIS PROGRAM WOULD ONLY BE USED WHEN ALL OTHER MEANS HAVE BEEN UNSUCCESSFUL. MR. MALPHRUS SAID THE G.E.A.R. PROGRAM CAN DO WAGE GARNISHMENTS AND LEVIES. COUNCILMAN ETHERIDGE ASKED HOW MUCH WAS CHANGED BY THE SET

OFF DEBT PROGRAM. MR. MALPHRUS SAID IT IS NO COST TO THE COUNTY. CHAIRMAN HOOD ASKED FOR AN EXAMPLE OF WHEN G.E.A.R. WOULD BE USED. MR. MALPHRUS SAID IT COULD BE USED ON BOATS AND MOTORS AND BUSINESS INVESTMENTS AS THE TAX OFFICE IS CURRENTLY NOT SET UP TO SELL THOSE ITEMS. MR. MALPHRUS SAID THEY WOULD USE THE SET OFF DEBT PROGRAM FIRST AND ONLY USE G.E.A.R. WHEN ALL ELSE FAILS. CHAIRMAN HOOD SAID HE WAS CONCERNED ABOUT THE 28% AND MR. MALPHRUS SAID G.E.A.R. WOULD ONLY BE USED ON OLD DEBT WHERE THEY HAVE TRIED EVERY OTHER WAY TO COLLECT. MR. MALPHRUS SAID HE THOUGHT THEY WOULD ONLY HAVE TO USE IT ABOUT 6 TIMES A YEAR. COUNCILMAN GREGORY ASKED ABOUT A START UP FEE. MR. MALPHRUS SAID THERE WAS NOT A START UP FEE AND THEY WOULD TRY TO COLLECT THE OLDEST DEBT OWED AND IT WOULD NOT BE USED FOR MOBILE HOMES, AS MOBILE HOMES WILL BE SOLD IN THE TAX SALE THIS YEAR. COUNCILMAN GREGORY ASKED ABOUT THE 27% AND MR. MALPHRUS SAID THAT WAS THE SUCCESS RATE FOR G.E.A.R. COUNCILMAN ETHERIDGE ASKED IF HIS UNDERSTANDING WAS CORRECT AND THAT G.E.A.R HAD NO START UP FEE, WOULD BE USED ONLY AS A LAST RESORT AND THE COUNTY WOULD PAY 28% OF WHAT WAS COLLECTED. MR. MALPHRUS SAID THAT WAS CORRECT. COUNCILMAN GREGORY ASKED HOW THE PEOPLE WOULD BE NOTIFIED. MR. MALPHRUS SAID, IN REFERENCE TO THE TAX SALE, ALL PROPERTY OWNERS WILL BE SENT A NOTICE, IT WILL BE ADVERTISED IN THE NEWSPAPER AND THE PROPERTY WILL BE POSTED. CHAIRMAN HOOD ASKED IF THE NOTICE WAS SENT CERTIFIED MAIL. MR. MALPHRUS SAID AT LEAST ONE NOTICE IS SENT CERTIFIED TO THE PROPERTY OWNER AND/OR THE MOBILE HOME OWNER. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE USE OF THE G.E.A.R. PROGRAM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM – APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF HARDEEVILLE AND THE TOWN OF RIDGELAND REGARDING FOURTEENTH CIRCUIT **SOLICITOR'S** OFFICE: MR. FULGHUM SAID THAT IN THE INTERGOVERNMENTAL AGREEMENT THE TWO MUNICIPALITIES WOULD PAY \$17,700 EACH AND THE COUNTY WOULD PAY \$35,000 PLUS PROVIDE OFFICE SPACE IN THE J.C. GOVERNMENT BUILDING. MR. FULGHUM SAID THE COUNTY'S PORTION WOULD BE PAID FOR FROM PRISONER HOUSING AS THE GOAL OF THE NEW ATTORNEY IS TO GET THE REPEAT OFFENDERS OUT OF THE COUNTY DETENTION CENTER QUICKER. MR. FULGHUM REFERENCED ONE INMATE WHO IS IN JUST CARE DUE TO THE MEDICAL PROBLEMS AND IT IS COSTING THE COUNTY OVER \$10,000 PER MONTH FOR THE ONE INMATE. FULGHUM SAID THE AGREEMENT ALSO STATES THAT THE COUNTY WILL NOT PURSUE A PER DIEM FUNDING FOR THE MUNICIPALITIE'S INMATES. COUNCILMAN GREGORY SAID HE HAD CONCERNS WITH PLACING THE ATTORNEY IN THE J.C. GOVERNMENT BUILDING AND ASKED WHY COULD THEY NOT BE IN THE MARY GORDON ELLIS BUILDING. MR. FULGHUM SAID THIS WOULD BE A TWO YEAR TRIAL PERIOD. MR. FULGHUM SAID THE

ATTORNEY NEEDED TO BE ACCOUNTABLE TO THE COUNTY AND MUNICIPALITIES AND MR. FULGHUM SAID HE COULD MONITOR IF THE ATTORNEY WAS SHOWING UP EVERYDAY. COUNCILMAN GREGORY SAID THE ATTORNEY WILL WORK FOR MR. STONE AND THE ATTORNEY WOULD NOT BE ACCOUNTABLE TO THE COUNTY. COUNCILMAN GREGORY SAID HE WAS CONCERNED ABOUT THE INCREASE OF TRAFFIC INTO THE BUILDING AND THE TYPE OF PEOPLE COMING TO THE ATTORNEY'S OFFICE. COUNCILMAN GREGORY SAID THE ATTORNEY DID NOT NEED TO BE IN THE J.C. GOVERNMENT BUILDING. COUNCILMAN GREGORY SAID THE SOLICATOR ALREADY HAS ONE OFFICE IN THE MARY GORDON ELLIS BUILDING AND THAT IS WHERE THE ONE IN QUESTION NEEDED TO BE MR. FULGHUM SAID THERE WILL BE NO TRAFFIC AND NO CRIMINALS COMING TO THIS BUILDING TO THE ATTORNEY'S OFFICE. COUNCILMAN ETHERIDGE SAID HE SPOKE WITH SOMEONE WHO SAID THERE WOULD BE A LOT OF TRAFFIC IN AND OUT AND COUNCILMAN ETHERIDGE SAID HE COULD NOT SEE HOW THE ATTORNEY COULD OPERATE WITHOUT MEETING WITH PEOPLE. MR. FULGHUM SAID THAT NO CRIMINAL ELEMENT WILL COMING INTO THE BUILDING AND IF TRAFFIC BECOMES A PROBLEM IT CAN BE ADDRESSED. COUNCILMAL GREGORY DISCUSSED BUILDING SECURITY AND SAID HE FELT THE ATTORNEY SHOULD BE HOUSED SOMEWHERE ELSE. CHAIRMAN HOOD SAID THE CONCERN ABOUT CRIMINALS, NOT LAW ENFORCEMENT OFFICERS, AND THEY HAVE A SECURITY DEVICE FOR THIS BUILDING AND IT HAS NOT BEEN INSTALLED. CHAIRMAN HOOD SAID A SECURITY DEVICE COULD BE INSTALLED AT BOTH ENTRANCES TO THE BUILDING. COUNCILMAN ETHERIDGE MOTIONED AND COUNCILM GREGORY SECONDED THE MOTION TO TABLE THIS DECISION UNTIL THEY RESEARCH IT FURTHER. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

NEW BUSINESS

ANDREW FULGHUM - MOU WITH THE STATE COURT SYSTEM FOR SOFTWARE, SUPPORT AND HOSTING SERVICE AND MOU FOR ON GOING MAINTENANCE AND SUPPORT NETWORK FOR COURT SYSTEM MR. FULGHUM EXPLAINED THAT THIS TOPIC WAS DISCUSSED AT THE COUNCIL WORKSHOP AND THAT THE COURT CASE MANAGEMENT WOULD BE HOSTED BY THE STATE JUDICIAL SYSTEM INSTEAD OF BEAUFORT COUNTY. MR. FULGHUM SAID THE FUTURE COSTS WILL GO INTO EFFECT IN 2014. MR. FULGHUM SAID THE COURT SYSTEM WOULD LIKE FOR THE MAGISTRATES OFFICE TO BE LOCATED IN THE MARY GORDON ELLIS BUILDING AND IN ADDITION TO THE \$38,000 WORTH OF EQUIPMENT, THE JUDICAL SYSTEM WILL PROVIDE \$12,000 TO MAKE NECESSARY UPGRADES TO THE MARY GORDON ELLIS BUILDING. MR. FULGHUM TOLD THE COUNCIL THAT TO DATE, \$431,000 HAS BEEN PROVIDED BY THE JUDICAL SYSTEM TO JASPER COUNTY. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE MOU WITH THE STATE COURT SYSTEM FOR SOFTWARE, SUPPORT AND HOSTING SERVICE. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR. VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN

ETHERIDGE SECONDED THE MOTION TO APPROVE THE MOU FOR ON GOING MAINTENANCE AND SUPPORT NETWORK FOR COURT SYSTEM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ANDREW FULGHUM - PROFESSIONAL SERVICE CONTRACT FOR LANDSCAPE ARCHITECT FOR COURTHOUSE PROJECT - MR. FULGHUM PRESENTED A PROFESSIONAL SERVICE CONTRACT FROM ALAN GLASSBURG IN THE AMOUNT NOT TO EXCEED \$6,675. MR. FULGHUM SAID THE FUNDS WOULD COME FROM THE COURTHOUSE RENOVATION FUNDS. CHAIRMAN HOOD SAID THIS PROJECT NEEDS TO GET DONE AND THEY NEEDED TO STOP BRINGING WORK ORDERS. MR. FULGHUM SAID HE THOUGHT THERE WAS ONLY ONE MORE WHICH WOULD BE FOR THE ACTUAL LANDSCAPING WORK AND PLANTINGS. MR. FULGHUM SAID THE BUILDING WILL BE COMPLETE BY MID-OCTOBER AND MS. BOSTICK WILL BE MOVING IN BY THE END OF OCTOBER. COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO APPROVE THE PROFESSIONAL SERVICE CONTRACT FOR LANDSCAPE ARCHITECT FOR THE COURTHOUSE PROJECT AND IT IS TO BE PAID FROM THE COURT RENOVATION FUND. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COMMITTEE REPORTS

GREGORY- FORESTRY FUNDING COUNCILMAN **REQUEST** COUNCILMAN GREGORY SAID HE DID NOT KNOW WHY THIS WAS BACK ON THE AGENDA AS THE COUNCIL PREVIOUSLY APPROVED THIS REQUEST. MR. MALPHRUS SAID THAT DUE TO THE PASSAGE OF TIME AND THE ORIGINAL REQUEST WAS FOR THE STAR PROGRAM AND THAT COUNCILMAN GREGORY WANTED TO HAVE THE FUNDS GO TO THE RIDGELAND MIDDLE SCHOOL, HE ASKED THE CHAIRMAN AT AGENDA PREP IF IT NEEDED TO BE ON THE AGENDA SO THAT EVERYONE WAS ON THE SAME PAGE. MR. MALPHRUS SAID AT ONE TIME THERE WAS A REQUEST TO USE THE MONEY FOR CHEERLEADERS UNIFORMS AND ONE FOR THE STAR PROGRAM AND NOW FOR THE RIDGELAND MIDDLE SCHOOL. COUNCILMAN GREGORY SAID THERE WAS A CLEAR UNDERSTANDING THAT THE FUNDS WOULD NOT BE FOR CHEERLEADING UNIFORMS AND HE THOUGHT IT WAS REDUNDENT THAT IT IS BACK ON THE AGENDA. CHAIRMAN HOOD ASKED IF THE CLERK WAS ASKED TO PULL THE MINUTES AND COUNCILMAN GREGORY SAID HE DID NOT ASK THAT THE MINUTES BE PULLED. VICE CHAIRMAN BLACKSHEAR SAID THE ATTORNEY RESEARCHED THE WAY THE MONEY COULD BE USED AS THE BOYS AND GIRLS CLUB WAS ALSO DISCUSSED ABOUT RECEIVING THE FUNDING. MR. MALPRHUS ASKED IF THIS REQUEST WAS FOR THE STAT PROGRAM. COUNCILMAN GREGORY SAID THAT IT WOULD BE USED BY THE MIDDLE SCHOOL SYSTEM. CHAIRMAN HOOD TOLD MR. MALPHRUS TO MOVE FORWARD WHEN HE RECEIVED APPROVAL BASED ON THE INFORMATION RECEIVED FROM THE ATTORNEY.

ADMINISTRATOR'S REPORT

MR. FULGHUM REPORTED THAT THE SHERIFF'S DEPARTMENT RECEIVED ANOTHER GRANT FOR TASERS IN THE AMOUNT OF \$15,141.00. MR. FULGHUM SAID THE TOTAL GRANT MONEY RECEIVED FOR TASERS IS

\$38,348. MR. FULGHUM REPORTED THAT AN ADDITIONAL GRANT FROM STIMULUS FUNDS WAS RECEIVED BY THE DETENTION CENTER. FULGHUM SAID THE AMOUNT OF THE GRANT WAS \$140,734 AND THE GRANT WAS FOR TWO NEW VANS, A 4 DOOR SEDAN AND EQUIPMENT TO OUTFIT THE VANS AND 12 RADIOS. MR. FULGHUM SAID THE MATCH WAS \$7,407 AND THE COUNTY HAS EXHAUSTED THE GRANT MATCHING FUND LINE IN THE BUDGET. MR. FULGHUM SAID THAT THE FUNDS FROM THE SALE OF THE AIR PACK WILL OFFSET THE AMOUNT AND THEY WILL CONTINUE TO APPY FOR ADDITIONAL GRANTS. MR. FULGHUM COUNCILMAN GREGORY RECOMMENDED ACCEPTING THE GRANT. MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO ACCEPT THE GRANT FOR THE DETENTION CENTER AND THE MATCH IS TO BE PAID FROM THE PROCEEDS FROM THE SALE OF AIR PACKS. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

OPEN FLOOR TO THE PUBLIC (3 MINUTE TIME LIMIT PER

INDIVIDUAL - CHAIRMAN HOOD OPENED THE FLOOR TO THE PUBLIC AND REMINDED THEM OF THE 3 MINUTE TIME LIMIT. CHAIRMAN HOOD SAID HE WOULD ONLY ALLOW TWO PEOPLE TO SPEAK ON THE SAME SUBJECT. BARBARA CLARK SAID SHE WAS CONCERNED BECAUSE IF THE PEOPLE HAVE CONCERNS OVER THE SAME SITUATION SHE FELT THE PEOPLE HAVE A RIGHT TO COME BEFORE THE COUNCIL. MS. CLARK SAID SHE ASKED TO BE PLACED ON THE AGENDA AND WAS DENIED THAT RIGHT. MS. CLARK SAID SHE FELT THAT IT IS A PERSONAL ISSUE REGARDING THE LEVY FIRE STATION AND THAT THE LEVY FIRE STATION HAS TO COME BEFORE COUNCIL FOR EVERYTHING AND SHE WANTED TO KNOW HOW MANY TIMES RIDGELAND AND HARDEEVILLE HAVE HAD TO COME AND REQUEST HOW TO SPEND MONEY IN THEIR CONTRACT LIKE LEVY DOES. MS. CLARK SAID THAT THEY WERE TOLD TO PURCHASE PRIVATE INSURANCE AT A COST OF \$2,500 FROM THEIR CONTRACT FUNDS FOR THE TANKER TRUCK PURCHASED BY THE VOLUNTEERS. MS. CLARK SAID THE COUNTY CAN PUT THE TANKER TRUCK ON THE COUNTY'S INSURANCE FOR \$800 AND THEY HAVE MONEY IN THE CONTRACT FOR INSURANCE AND THERE IS \$900 REMAINING. MS. CLARK ASKED WHY IS IT SO HARD FOR THE COUNCIL TO GIVE THE PEOPLE OF LEVY AND BELLINGER HILL WHAT THEY NEED. MS. CLARK ASKED HOW THEY CAN HAVE PEACE IF THEY CAN'T GIVE PEOPLE WHAT THEY NEED. MS. CLARK SAID THAT SHE WILL BE COMING TO EVERY MEETING BETWEEN NOW AND DECEMBER 31 AND TALKING DURING THE 3 MINUTES. MS. CLARK SAID THAT HOPEFULLY THINGS WILL CHANGE IN JANUARY. MS. CLARK SAID THAT LEVY STILL HAD \$40,000 LEFT FROM LAST YEAR'S CONTRACT SINCE THEY WERE ASKED TO TRY AND NOT SPEND FUNDS DUE TO THE ECONOMY. MS. CLARK SAID THE COUNCIL WAS MAKING A MOCKERY OF THE PEOPLE. MS. CLARK STATED THAT TWO COUNCIL MEMBERS ARE SHOWING THEIR AUTHORITY BY NOT APPROVING THE INSURANCE, THEY DON'T WANT TO ACCEPT THINGS FOR FREE, AND THEY WANT TO SPEND MONEY. MS. CLARK SAID THAT VICE CHAIRMAN BLACKSHEAR REPRESENTS THE LEVY AREA AND MS. CLARK ASKED HIM TO RESIGN IF HE CAN'T REPRESENT THE PEOPLE. MS. CLARK SAID HE IS

TRYING TO HURT THE PEOPLE. MS. CLARK SAID SHE HOPED AND PRAYED TO GIVE PEACE. MS. CLARK ASKED WHY WAS A DEPUTY SHERIFF PRESENT, SHE SAID THE PEOPLE WITH HER WOULD NOT STOOP TO THAT LEVEL AND OFFICER BAILEY IS HERE WHILE PEOPLE ARE OUT BREAKING THE LAW.

ISSAC ROBERTS SAID HE WAS FROM ACROSS THE RIVER AND SEEMS IF THE COUNTY WON'T PAY FOR THE INSURANCE ON THE TRUCK, IF THE COUNTY DID NOT PAY FOR THE TRUCK, THEY SHOULD BE ABLE TO MANAGE. MR. ROBERTS SAID THERE ARE TWO SIDES TO THE ISSUE AND THEY MAY NEED TO GIVE BACK WHAT THEY ARE PAID AND IT WAS LIKE BEING DOUBLE TAXED. MR. ROBERTS ASKED IF THE BOOKS WERE OPEN.

WILLIEMAE HERRINGTON SAID SHE LIVED ABOUT ½ MILE FROM THE STATION AND SHE ASKED WHY THEY WANTED IT IN A DIFFERENT LOCATION AND WHY IT HAS TO BE PERSONAL PROPERTY. CHAIRMAN HOOD SAID MS. HERRINGTON WAS DISCUSSING THE SAME SUBJECT AND ASKED HER TO BE SEATED. HE ASKED IF ANYONE WANTED TO TALK ABOUT SOMETHING OTHER THAN LEVY FIRE.

BARBARA CLARK ASKED WHY DOES VICE CHAIRMAN BLACKSHEAR SAY THE PRAYER AT EVERY COUNCIL MEETING WHEN THERE IS A MINISTER ON COUNCIL. SHE ASKED DON'T THE OTHER COUNCIL MEMBERS KNOW HOW TO PRAY. CHAIRMAN HOOD SAID THEY WERE TO DISCUSS ISSUES THAT CONCERN THE CITIZENS OF JASPER COUNTY. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC AND HE MADE A STATEMENT WHICH HE SAID MAY ANSWER SOME QUESTIONS AND CLARIFIES THE SITUATION. CHAIRMAN HOOD SAID HE WAS CONCERNED ABOUT THE ISSUES WHEN THEY VOTED TO GIVE A CONTRACT. CHAIRMAN HOOD SAID THAT VICE CHAIRMAN BLACKSHEAR SITS ON THE FIRE COMMITTEE AND THEY SHOULD HAVE GONE TO VICE CHAIRMAN BLACKSHEAR AND NOT CALL COUNCILMAN ETHERIDGE ABOUT THE TANKER TRUCK. CHAIRMAN HOOD SAID HE WAS CONTACTED BY COUNCILMAN ETHERIDGE ABOUT THE TRUCK AND THE REQUEST WAS TO TAKE THE MONEY OUT OF THE \$280,000 IN THEIR CONTRACT AND HE PLEDGED HIS SUPPORT FOR THAT, CHAIRMAN HOOD SAID HE DID NOT THINK IT WAS FAIR TO ADD VEHICLES AND THEY HAVE THE MONEY TO PAY FOR THE INSURANCE FROM THE \$280,000 IN THEIR CONTRACT AND THE TRUCK IS IN THEIR NAME. CHAIRMAN HOOD SAID THAT HE FELT THEY DISRESPECTED VICE CHAIRMAN BLACKSHEAR BY PURCHASING THE TRUCK WITHOUT GOING TO THE FIRE COMMITTEE AND THEY DID NOT FOLLOW PROTOCOL. CHAIRMAN HOOD SAID THAT THEY HAVE A FIVE YEAR CONTRACT, BUT THEY SHOULD HAVE DISCUSSED IT WITH THE FIRE COMMITTEE AND VICE CHAIRMAN BLACKSHEAR AND COUNCILMAN ETHERIDGE SERVE ON THE FIRE COMMITTEE. HOOD SAID THE COMMITTEE WOULD THEN BRING IT TO COUNCIL FOR A DECISION. CHAIRMAN HOOD SAID THEY SHOULD NOT COME AFTER THE FACT AND THAT HE IS A COOPERATIVE PERSON IF THINGS ARE DONE RIGHT. CHAIRMAN HOOD SAID THEY CAN STILL PURCHASE THE INSURANCE, BUT IT WOULD BE A LIABILITY TO THE COUNTY IF THE COUNTY ADDED IT TO THEIR INSURANCE. CHAIRMAN HOOD SAID HE WAS NOT ADDING ANOTHER VEHICLE TO THEIR CONTRACT AND HE SUGGESTED THEY TAKE IT TO THE COMMITTEE. CHAIRMAN ETHERIDGE SAID THAT HE

MADE IT PERFECTLY CLEAR TO CHAIRMAN HOOD WHEN HE CALLED HIM THAT IF LEVY VOLUTEER FIREMEN PURCHASED THE TRUCK, THEY WOULD SPEND \$27,000 OF THEIR OWN MONEY, NOT MONEY FROM THE CONTRACT, AND THE INSURANCE TO ADD IT TO THE COUNTY POLICY WOULD BE \$800 AND THAT \$800 COULD BE PAID FROM THEIR CONTRACT FUNDS. CHAIRMAN HOOD SAID THAT WAS NOT THE WAY HE UNDERSTOOD IT. COUNCILMAN ETHERIDGE SAID THEN THE CHAIRMAN MISUNDERSTOOD WHAT WAS TOLD TO HIM. CHAIRMAN HOOD SAID THE ISSUE WAS THAT VICE CHAIRMAN BLACKSHEAR SHOULD HAVE CALLED HIM AND ASK HIM TO POLL THE COUNCIL MEMBERS. CHAIRMAN HOOD CLOSED THE DISCUSSION. MS. CLARK COMMENTED THAT THEY WOULD RATHER SPEND \$2,500 OF THE TAXPAYERS MONEY INSTEAD OF \$800. CHAIRMAN HOOD SAID THAT COUNCILMAN ETHERIDGE SHOULD NOT HAVE PLACED THE PHONE CALL. COUNCILMAN ETHERIDGE RESPONDED THAT THERE ARE FIVE COUNCIL MEMBERS. CHAIRMAN HOOD SAID IF EVERYONE IS THE SPOKESPERSON THERE WILL BE PROBLEMS. COUNCILMAN ETHERIDGE SAID HE WILL NOT BE SORRY TO SEE CHAIRMAN HOOD GO IN DECEMBER. CHAIRMAN HOOD SAID HE WILL BE GLAD TO BE AWAY FROM COUNCILMAN ETHERIDGE AS HE HAD NO PROBLEMS UNTIL COUNCILMAN ETHERIDGE CAME ON THE COUNCIL. CHAIRMAN HOOD CLOSED THE FLOOR TO THE PUBLIC.

EXECUTIVE SESSION - DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION SERVICES ENCOURAGING LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY; DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMP-ENSATION, PROMOTION, DEMOTION, DISCIPLINE, OR RELEASE OF AN EMPLOYEE, A STUDENT, OR A PERSON REGULATED BY A PUBLIC BODY OR THE APPOINTMENT OF A PERSON TO A PUBLIC BODY; HOWEVER, IF AN ADVERSARY HEARING INVOLVING AN EMPLOYEE OR CLIENT IS HELD, THE EMPLOYEE OR CLIENT HAS THE RIGHT TO DEMAND THAT THE HEARING BE CONDUCTED PUBLICLY NOTHING CONTAINED IN THIS ITEM SHALL PREVENT THE PUBLIC BODY, IN DISCRETION, FROM DELETING THE NAMES OF OTHER EMPLOYEES OR CLIENTS WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING - VOTERS REGISTRATON OFFICE; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGE-MENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM - VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO THE PROPOSED LOCATION, EXPANSION, OR THE PROVISION OF SERVICES ENCOURAGING

LOCATION OR EXPANSION OF INDUSTRIES OR OTHER BUSINESSES IN THE AREA SERVED BY A PUBLIC BODY; DISCUSSION REGARDING EMPLOYMENT, APPOINTMENT, COMP-ENSATION, PROMOTION, DEMOTION, DISCIPLINE, OR RELEASE OF AN EMPLOYEE, A STUDENT, OR A PERSON REGULATED BY A PUBLIC BODY OR THE APPOINTMENT OF A PERSON TO A PUBLIC BODY; HOWEVER, IF AN ADVERSARY HEARING INVOLVING AN EMPLOYEE OR CLIENT IS HELD, THE EMPLOYEE OR CLIENT HAS THE RIGHT TO DEMAND THAT THE HEARING BE CONDUCTED PUBLICLY NOTHING CONTAINED IN THIS ITEM SHALL PREVENT THE PUBLIC BODY, IN ITS DISCRETION, FROM DELETING THE NAMES OF OTHER EMPLOYEES OR CLIENTS WHOSE RECORDS ARE SUBMITTED FOR USE AT THE HEARING - VOTERS **REGISTRATON OFFICE**; DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACT ARRANGE-MENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY, RECEIPT OF LEGAL ADVICE WHERE THE LEGAL ADVICE RELATES TO A PENDING, THREATENED, OR POTENTIAL CLAIM OR OTHER MATTERS COVERED BY THE ATTORNEY-CLIENT PRIVILEGE, SETTLEMENT OF LEGAL CLAIMS, OR THE POSITION OF THE PUBLIC AGENCY IN OTHER ADVERSARY SITUATIONS INVOLVING THE ASSERTION AGAINST THE AGENCY OF A CLAIM. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

RETURN TO OPEN SESSION – <u>COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO RETURN TO OPEN SESSION. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.</u>

CHAIRMAN HOOD REPORTED THAT THE COUNCIL RECEIVED A REQUEST FROM THE VOTERS REGISTRATION BOARD AND FROM THE HABITAT FOR HUMANITY COMMUNITY.

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO HAVE THE ADMINISTRATOR LOOK INTO THE REQUEST FROM THE VOTERS REGISTRATION BOARD TO GIVE AN INCREASE IN SALARY TO MS. BOSTICK AND TO REPORT BACK TO COUNCIL. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

COUNCILMAN GREGORY MOTIONED AND VICE CHAIRMAN BLACKSHEAR SECONDED THE MOTION TO REJECT THE PROPOSAL CONCERNING ACCEPTING A ROAD FROM HABITAT FOR HUMANITY. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

VICE CHAIRMAN BLACKSHEAR MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO REFUSE THE OFFER REGARDING THE TWO PROPERTIES NEAR THE MARY GORDON ELLIS BUILDING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

ADJOURN - COUNCILMAN GREGORY MOTIONED AND COUNCILMAN ETHERIDGE SECONDED THE MOTION TO ADJOURN THE MEETING. THE MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING IN FAVOR.

THE MEETING ENDED AT 9:45 P.M.

RESPECTFULLY SUBMITTED BY:	APPROVED BY:
JUDITH M. FRANK, ccc	DR. GEORGE M. HOOD
CLERK TO COUNCIL	CHAIRMAN